

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CASE NO.

Plaintiff(s),

v.

STIPULATION AND [PROPOSED]
ORDER SELECTING ADR PROCESS

Defendant(s).

/

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

Court Processes:

- Non-binding Arbitration (ADR L.R. 4)
- Early Neutral Evaluation (ENE) (ADR L.R. 5)
- Mediation (ADR L.R. 6)

(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)

Private Process:

- Private ADR (please identify process and provider) _____

The parties agree to hold the ADR session by:

- the presumptive deadline (*The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.*)
- other requested deadline _____

Dated: _____

Attorney for Plaintiff

Dated: _____

Attorney for Defendant

Additional signatures on ADR Stipulation and Proposed Order

Dated: 12/26/07 /s/ David Wallach, Experian

Dated: 12/26/07 /s/ Thomas Quinn, Equifax

Dated: 12/26/07 /s/ Veronica Kuiumdjian, Capital One

Patenaude & Felix has not yet appeared, so plaintiff's counsel has been unable to reach agreement with that defendant.

Certification of holographic signatures:

I certify that I have in my file original or fax signed authorizations to file this ADR stipulation from all persons designated by the “/s/” except that Thomas Quinn was unable to fax me his written authorization. I have oral authorization from him to file this stipulation and to indicate that he has agreed to provide written authorization upon his return to the office.

I declare that the foregoing is true and correct. Executed in San Francisco, California on December 26, 2007.

/s/ Andrew J. Ogilvie

[PROPOSED] ORDER

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

- Non-binding Arbitration
- Early Neutral Evaluation (ENE)
- Mediation
- Private ADR

Deadline for ADR session

- 90 days from the date of this order.
- other _____

IT IS SO ORDERED.

Dated: _____

UNITED STATES

JUDGE